



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

RACER SPORTING GOODS CO., LTD. ]

Petitioner, ]

Cancellation No. \_\_\_\_\_ ]

v. ]

PARSONS OFFICIALS SUPPLIES, INC. ]

Registrant. ]

73/450, 516

**PETITION FOR CANCELLATION**

Petitioner, Racer Sporting Goods Co., Ltd., through its attorneys noted herein, hereby petitions this Honorable Board to order the cancellation of United States Trademark Registration, No. 1,326,105, registered March 19, 1985 to Parsons Officials Supplies, Inc., a corporation of Illinois. This registration covers the mark **+POS** as applied to umpire protection equipment in Class 28.

LAZOFICIS  
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06-12-2009

Petitioner believes that it will be damaged by the existence on the register of this mark in Class 28 for the reasons as set forth below and therefore seeks relief by cancellation.

1. Petitioner, Racer Sporting Goods Co., Ltd. is a limited company of Taiwan and has its principal business located at 1<sup>F</sup>, No. 17, Kung 6 Road, Kung 2 Industrial Park, Lin Ko Hsiang, Taipei Hsien, Taiwan.

2. The Registration here sought to be canceled covers the mark **+POS** as applied to umpire protection equipment in Class 28 and the same are considered as sports equipment used in the sport of baseball.

3. Petitioner produces an extensive line of sporting goods including baseball catcher's and umpire's protective equipment, similar or identical to such goods covered by the registration sought herein to be cancelled

4. Petitioner contemplates the filing of an application to register the mark **+POS** or another mark similar thereto in the United States within the very near future and has discovered the registration of the Registrant here sought to be cancelled.

5. It is believed that any application by the Petitioner for the mark **+POS** would be refused registration under Section 2(d) of the Trademark Act based upon a perceived likelihood of confusion with the goods set forth in United States trademark Registration 1,326,105, the registration here sought to be cancelled.

6 The marks of the Registrant and the Petitioner are similar or identical in sound and appearance and the United States Patent and Trademark Office so as to cause possible confusion in the minds of the purchasers as to the source of the goods.

7. Upon information and belief, registrant has made no use of its mark in connection with its services since the company was dissolved and such non-use is believed to have been continuous for at least three years and accordingly the Registrant has abandoned any trademark rights it may have had. Such prior use has been discontinued without any intent to resume such use and accordingly it must be presumed that the mark has been abandoned. See 15 USC §1127.

**WHEREFORE,** Petitioner respectfully moves the Trademark Trial and Appeal Board to cancel the registration of the Registrant, No. 1,326,105.

A credit card charge authorization in the amount of \$300 is attached hereto as required by the Rules of Practice.

Respectfully submitted,

RACER SPORTING GOODS CO., LTD.

By 

June 12, 2009

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**CERTIFICATE OF SERVICE**

This is to certify that a copy of this Petition to Cancel was served by first class mail with proper postage affixed, this 12<sup>th</sup> day of June, 2009, upon the Registrant, Parsons Officials Supplies, Inc. at 501 Lunt Avenue, Schaumburg, IL 60193.



Donald L. Dennison